

## Message Text

UNCLASSIFIED

PAGE 01 OECD P 12009 171206Z

43

ACTION EUR-25

INFO OCT-01 ISO-00 AID-20 CIAE-00 COME-00 EB-11 FRB-02

INR-10 NSAE-00 RSC-01 TRSE-00 XMB-07 OPIC-12 SP-03

CIEP-02 LAB-06 SIL-01 OMB-01 AGR-20 STR-08 CEA-02

EA-11 IO-14 NEA-14 SWF-02 DRC-01 /174 W

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R 171154Z MAY 74

FM USMISSION OECD PARIS

TO SECSTATE WASH DC 2709

INFO USMISSION EC BRUSSELS

UNCLAS OECD PARIS 12009

PASS: COMMERCE FOR LIEN, BIA AND AGRICULTURE FOR  
R.PHILLIPS AND FRASER, FAS

E.O. 11652: N/A

TAGS: EAGR OECD

SUBJECT: NTB ASPECTS OF TRACTOR STANDARDS

1. THE STANDARD CODES ADOPTED BY THE OECD COUNCIL ON 9  
OCTOBER 1973 (REF C(73)199 WITH ANNEXES I AND II)  
COULD DEVELOP INTO NTB'S AGAINST THE IMPORTATION OF US  
TRACTORS INTO OTHER OECD MEMBER COUNTRIES AND OTHER  
COUNTRIES WHICH IN THE FUTURE MAY ADHERE TO THESE  
STANDARD CODES. FOR TRACTORS WEIGHING LESS THAN FIVE  
METRIC TONS THERE IS NO PROBLEM BECAUSE (1) ACCORDING TO  
US INDUSTRY ADVISER FRANK WALTERS, THERE ARE VIRTUALLY  
NO US EXPORTS AND (2) US INDUSTRY STANDARDS ON ROLLOVER  
PROTECTION ARE MORE STRINGENT THAN EITHER THE OLD OECD  
STANDARD CODE OR THE STANDARD CODES ADOPTED OCTOBER 1973.  
FOR HEAVIER TRACTORS, PRESENT OECD STANDARD CODES ARE  
STRICTER THAN THOSE OF US MANUFACTURERS, WHEREAS THE OLD  
OECD STANDARD CODE WAS LESS STRICT BUT ALSO GENERALLY  
UNSATISFACTORY WHICH HAS LEAD TO ADOPTION OF NEW CODES.  
FORTUNATELY, OTHER COUNTRIES, AMONG THEM ITALY, GERMANY,  
UNCLASSIFIED

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PAGE 02 OECD P 12009 171206Z

AND UK, HAVE FOUND STANDARD CODES ADOPTED OCTOBER 1973

UNACCEPTABLE. ACCORDINGLY, THE ANNUAL MEETING FOR THE OECD STANDARD CODES FOR THE OFFICIAL TESTING OF AGRICULTURAL TRACTORS HELD IN PARIS 14 AND 15 MAY HAS AGREED TO RECOMMEND TO COMMITTEE FOR AGRICULTURE TO INVITE THE COUNCIL TO ALLOW AN EXTENSION OF THE PERIOD OVER WHICH TESTS UNDER THE OLD STANDARD CODE COULD BE ACCEPTED UNTIL END OF 1975. THIS RECOMMENDATION WHEN IMPLEMENTED WILL SOLVE OUR PROBLEM TILL THEN. IN THE MEANTIME, MISSION INVITES ATTENTION TO POSSIBLE NTB'S IN THE MAKING BY THE ISSUANCE OF EC COUNCIL DIRECTIVES 1974/150, 151 AND 152 ON MARCH 4 AS PUBLISHED IN OJEC L84, 28 MARCH, PP. 10-35. CRUCIAL PROBLEM WILL BE ACTION OF COMMITTEE SET UP UNDER ART. 12 OF DIRECTIVE 150.

2. IT SHOULD BE UNDERSTOOD THAT OECD COUNCIL ON 9 OCTOBER 1973 ENACTED NEW STANDARD CODES IMPLICITLY WITH IMMEDIATE EFFECTIVE DATE. HOWEVER, AT DECEMBER MEETING OF STANDARD CODES ADVISORY GROUP, ACCEPTABILITY OF OLD STANDARD CODE (REF C(70)9 (FINAL) ADOPTED 11 FEBRUARY 1970 AND ISSUED 19 FEBRUARY 1970) THROUGH MARCH 1974 WAS AGREED BASED ON PAST PRECEDENT FOR SUCH A TRANSITIONAL MEASURE TO BE AGREED UPON BY STANDARD CODES GROUP.

3. HOWEVER, DURING 373RD EXCOM MEETING MARCH 28 AND APRIL 1 (REF CE/M(74)7 (PROV.) PART II, PAGES 17-19) EC REP QUESTIONED LEGALITY OF ADVISORY GROUP HAVING DECLARED 1 APRIL AS DATE WHEN NEW CODES WOULD ACTUALLY TAKE EFFECT. CONSEQUENTLY, SECRETARIAT PREPARED DOCUMENT C(74)92, 7 MAY 1974 FOR EXCOMM ACTION ON JUNE 6 AND COUNCIL ACTION ON JUNE 18 "INVITING THE COMMITTEE FOR AGRICULTURE TO EXAMINE THE REQUEST BY THE COMMISSION OF THE EUROPEAN COMMUNITIES AND TO REPORT BACK TO THE COUNCIL BY 31 DECEMBER 1974." MISSION EXPECTS FAVORABLE ACTION ON THESE TWO PROCEDURAL ACTIONS. THUS COMMITTEE FOR AGRICULTURE ON JUNE 27-28 CAN EXPECT TO HAVE BEFORE IT (1) COUNCIL "INVITATION" TO PROPOSE CLARIFICATION OF EFFECTIVE DATE OF 9 OCTOBER 1973 CODES AND (2) ADVISORY GROUP RECOMMENDATION TO PERMIT TESTING UNDER OLD (1970)

UNCLASSIFIED

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PAGE 03 OECD P 12009 171206Z

CODE TILL END OF 1975. MISSION WILL AIRPOUCH TO MCCARTHY AND LIEN COPIES OF THIS TELEGRAM WITH TWO REFERENCES IN FIRST SENTENCE PARA 3 ABOVE ENCLOSED. BROWN

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** FARM EQUIPMENT, IMPORTS, MEETING PROCEEDINGS, TRACTORS  
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**Copy:** SINGLE  
**Draft Date:** 17 MAY 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
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**Disposition Approved on Date:**  
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